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Ultimate Fighting Championship and UFC
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17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 Cung Le, Nathan Quarry, Jon Fitch, Brandon
20 Vera, Luis Javier Vazquez, and Kyle Kingsbury,
on behalf of themselves and all others similarly
21 situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

25
26 Defendant
27
28

No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF STACEY K.
GRIGSBY IN SUPPORT OF
DEFENDANT ZUFFA, LLC'S
MOTION TO SEAL ZUFFA, LLC'S
MOTION FOR SUMMARY
JUDGMENT AND RELATED
MATERIALS**

1 I, Stacey K. Grigsby, declare as follows:

2 1. I am a member in good standing of the bar of the District of Columbia and the bar of
3 the State of New York. I am admitted *pro hac vice* to practice before this Court. I am a Partner in
4 the law firm Boies Schiller Flexner LLP (“BSF”), counsel for Zuffa, LLC (“Zuffa”) in the above
5 captioned action in the U.S. District Court for the District of Nevada, *Le et al. v. Zuffa, LLC*, No.
6 2:15-cv-01045-RFP-PAL.

7 2. I make this declaration in support of Zuffa’s Motion to Seal Zuffa’s Motion for
8 Summary Judgment and Related Materials (“Motion to Seal”). Based on my review of the files,
9 records, and communications in this case, I have personal knowledge of the facts set forth in this
10 Declaration and, if called to testify, could and would testify competently to those facts under oath.

11 3. Zuffa has moved to seal certain documents, deposition testimony and corresponding
12 portions of Zuffa’s Motion for Summary Judgment that contain highly confidential financial
13 information, including Zuffa’s financial records and specific financial information regarding Zuffa’s
14 contracts with athletes including payment terms; highly confidential contractual information,
15 including commercially sensitive contract terms and contract strategies; and highly confidential trade
16 secret business information, including commercially sensitive business, acquisition, marketing and
17 negotiation strategies.

18 4. In addition, the portions of expert deposition testimony, expert reports, and
19 corresponding portions of Zuffa’s Motion for Summary Judgment that Zuffa seeks to file under seal
20 contain highly confidential contain commercially sensitive terms, trade secrets, business strategies
21 and specific financial information, including financial information regarding Zuffa’s contracts with
22 athletes.

23 5. Zuffa also seeks to seal documents, deposition testimony, and corresponding portions
24 of the Motion for Summary Judgment that contain highly confidential third party information,
25 including highly confidential third party contractual or financial information, as well as private
26 information, such as personal identifiers, social security numbers, or phone numbers

27 6. With respect to Zuffa’s financial information, it is my understanding that Zuffa, a
28 privately owned company, treats its financial records and financial analysis, revenue, compensation,

1 and other confidential financial information as trade secret information. Disclosure of this
2 information would provide competitors with unfair and damaging insights into Zuffa's business
3 practices, including providing competitors with unearned competitive advantages.

4 7. With respect to Zuffa's confidential contract provisions, it is my understanding that
5 Zuffa treats its agreements with athletes, as well as payments made as a result of those agreements,
6 as confidential trade secret information, and does not publicly disclose information relating to fighter
7 contracts, the various forms of fighter compensation paid under those agreement, nor the strategic
8 reasoning underlying each contract provision. Nor does Zuffa publicly disclose information relating
9 to sponsors or licensees and the various contractual requirements for sponsors and licensees who
10 contract to do business with Zuffa. Public disclosure of this information would provide competitors
11 with unfair and damaging insights into Zuffa's business practices.

12 8. Additionally, Zuffa considers its internal decision making process, discussions, and
13 business and marketing strategies and analysis to be confidential. This includes its negotiations and
14 confidential communications with athletes, sponsors, licensees, and other business partners. Public
15 disclosure of this information would be likely to provide competitors with unfair and damaging
16 insights into Zuffa's business practices, including providing those competitors with unearned
17 competitive advantages.

18 9. With respect to the expert reports and testimony, for the same reasons described in
19 paragraphs 6, 7, and 8, public disclosure of the expert reports and the experts' information and
20 analysis regarding Zuffa's financial information, confidential contracts, and trade secret business
21 information and strategy would provide competitors with unfair and damaging insights into Zuffa's
22 business practices, including providing those competitors with unearned competitive advantages.

23 10. Finally, with respect to the information designated confidential by third parties to this
24 litigation, or containing information confidential to third parties, disclosure of this information is likely to
25 cause competitive harm or privacy harm to third parties to this suit.
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11. I declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct. Executed this 30th day of July, 2018 in Washington, DC.

/s/ Stacey K. Grigsby

Stacey K. Grigsby